

## REMARKS

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.111 and in light of the remarks which follow, are respectfully requested.

By the above amendments, claims 9 and 14-20 have been canceled without prejudice or disclaimer. Formula (IV) recited in claims 1 and 13 has been amended to read " $R_{th}(400) \times R_{th}(700) < 0$ , and  $0 \leq |R_{th}(700) - R_{th}(400)| \leq 150$ ". That is, the first occurrence of the symbol " $\leq$ " in formula (IV) has been replaced with the symbol "<". Claims 8 and 21 also recite such subject matter of Formula (IV). Claim 1 has also been amended to recite that the transparent film comprises a compound which has an absorption in a UV region of from 200 to 400 nm and of which the wavelength dispersion of  $R_e$  and  $R_{th}$  is larger on the shorter wavelength side. Support for such amendment can be found in the instant specification at least at page 79, lines 13-16. Claims 5 and 8 have been amended for readability purposes. Claim 8 has also been amended to be in independent form, and to delete formula (1) therefrom. Claim 12 has been amended to recite "comprising" between "A polarizing plate" and "an optical compensatory film". Claim 13 has been amended to recite that the liquid-crystal display device employs an IPS mode. Support for such amendment can be found in the instant specification at least at page 14, lines 28-34.

Support for newly added independent claim 21 can be found in the instant specification at least at page 25, lines 9-13 and original claim 1. Claims 22-34 have been added which directly or indirectly depend from claim 13. Support for such new claims can be found in the instant specification at least at the paragraph bridging pages 17 and 18, as well as original claims 2-7, 9-11 and 13.

The objection of claim 12 is moot in view of the above amendments, in which such claim has been amended to recite a polarizing plate comprising an optical compensatory film of claim 11. Accordingly, withdrawal of this objection is respectfully requested.

Claims 1-10, 13, 19 and 20 stand rejected under 35 U.S.C. §103(a) as being obvious over Japanese Patent Document No. JP 2001-163995 (*JP '995*) in view of U.S. Patent Application Publication No. 2003/0210370 (*Yano et al.*). Claims 11 and 12 stand rejected under 35 U.S.C. §103(a) as being obvious over *JP '995*, *Yano et al.* and U.S. Patent No. 5,453,862 (*Toko et al.*), and further in view of Japanese Patent Document No. JP 2003-057415 (*JP '415*). Claim 14 stands rejected under 35 U.S.C. §103(a) as being obvious over *JP '995* and *Yano et al.*, and further in view of *Toko et al.* Withdrawal of the above rejections is respectfully requested for at least the following reasons.

*JP '995* does not disclose or suggest each feature recited in independent claims 1, 8, 13 and 21. For example, *JP '995* does not disclose or suggest a transparent film of which  $R_e(\lambda)$  and  $R_{th}(\lambda)$  defined by formulae (I) and (II) satisfy formulae (III) and (IV). *JP '995* has no disclosure or suggestion of a transparent film of which  $R_e(\lambda)$  and  $R_{th}(\lambda)$  satisfy  $R_{th}(400) \times R_{th}(700) < 0$ , as recited in claims 1, 8, 13 and 21. In this regard, the Patent Office has alleged that since the applied art discloses a "film made by substantially the same process and comprising the same components...it would be reasonable to believe protective film taught by the combination of Takatoshi and Yano et al. would have the same retardation values for  $R_e(\lambda)$  and  $R_{th}(\lambda)$  as claimed by Applicant." See Official Action at pages 3-4. However, exemplary transparent films further differ from the film disclosed by *JP '995*

for at least the reasons set forth below. In view of such differences, it is also apparent that the Patent Office's position concerning the recited retardation characteristics is untenable.

Concerning independent claim 1, *JP '995* further does not disclose or suggest that the transparent film comprises a compound which has an absorption in a UV region of from 200 to 400 nm and of which the wavelength dispersion of  $R_e$  and  $R_{th}$  is larger on the shorter wavelength side, as recited in such claim. At best, *JP '995* mentions the use of a UV absorber in general. There is, however, no disclosure or suggestion of a compound which has an absorption in a UV region of from 200 to 400 nm and of which the wavelength dispersion of  $R_e$  and  $R_{th}$  is larger on the shorter wavelength side.

With regard to independent claim 8, *JP '995* further does not disclose or suggest that the transparent film contains at least one compound of any of the formulae (2) to (19) capable of reducing  $R_e(\lambda)$  and  $R_{th}(\lambda)$  of the film and having an octanol-water partition coefficient (Log p value) of from 0 to 7, in an amount of from 0.01 to 30 % by weight of the solid content of the film, as recited in such claim. *JP '995* has no disclosure or suggestion of a compound of any of the formulae (2) to (19) recited in claim 8.

With regard to independent claim 13, *JP '995* further does not disclose or suggest that the liquid-crystal display device employs an IPS mode, as recited in such claim. In this regard, Applicants have discovered that light leakage in the black state can be reduced, for example, by the use of a transparent film of which the positivity/negativity of  $R_{th}$  is reversed depending on the wavelength of light and the product of  $R_{th}(400)$  and  $R_{th}(700)$  is negative. See, for example,

specification at pages 17 and 18. The applied art has no recognition or suggestion of the exemplary effect of reducing light leakage in the black state by employing a transparent film having such retardation characteristics. As such, it would not have been obvious to the ordinarily skilled artisan to employ the transparent film having such retardation characteristics in a liquid-crystal display device employing an IPS mode.

Concerning independent claim 21, *JP '995* further does not disclose or suggest that the mean content of the compound in the part of 10 % of the overall thickness from the surface of at least one side of the film is from 80 to 99 % of the mean content of the compound in the center part of the film, as recited in claim 21. *JP '995* simply has no disclosure or suggestion of such claimed subject matter.

The secondary applied documents (i.e., *Yano et al*, *Toko et al* and *JP '415*) fail to cure the above-described deficiencies of *JP '995*. Even if the secondary applied documents would have been combined with *JP '995* in the manner suggested by the Patent Office, the resulting combination nevertheless fails to disclose or suggest the subject matter of independent claims 1, 8, 13 and 21 as noted above.

For at least the above reasons, it is apparent that the claims are non-obvious over the applied art. Accordingly, withdrawal of the above §103(a) rejections is respectfully requested.

Claims 15-18 stand rejected under 35 U.S.C. §103(a) as being obvious over *JP '995*, *Yano et al* and *Toko et al*, and further in view of U.S. Patent Application Publication No. 2003/0164920 (*Kelly et al*) in view of *JP '415*. This rejection is moot

in view of the above cancellation of claims 15-18. Accordingly, for at least this reason, withdrawal of the above rejection is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

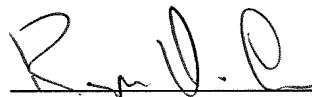
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,

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